

FILED
U.S. DISTRICT COURT
MASSACHUSETTS

United States District Court
District of Massachusetts

U.S. DISTRICT COURT
MASSACHUSETTS

AHMAD A. SHARIF

PLAINTIFF

v.

CITY OF SPRINGFIELD POLICE
DEPARTMENT and LT. CHERYL
CLAPROOD,

DEFENDANTS

CIVIL ACTION NO.
3:05-cv-30018-MAP

**OPPOSITION TO MOTION TO REMAND OR IN THE ALTERNATIVE, A MOTION
FOR MORE DEFINITE STATEMENT**

Now comes the Defendant City of Springfield Police Department and OPPOSES the Motion to Remand filed by the Plaintiff.

As grounds therefore, Defendant states that Remand is not appropriate since Plaintiff has failed to comply with Rules with regard to amending the Complaint due to the failure to submit a proposed amended complaint with the motion, which would provide the Defendant adequate notice of the intended claims.

The Complaint, as filed, cites to rights asserted under federal law, and subject to the jurisdiction of this court, specifically, Title VII and the Declaratory Judgment statutory references.

It is not clear from the pleadings whether Plaintiff has waived such claims, or whether

such claims will be part of this or some later suit. Without such clarification, as would be expected from a properly pleaded complaint. Defendant has answered the complaint to the best of its abilities, and has therefore responded to the federal claims asserted.

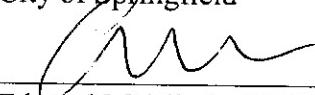
WHEREFORE, Defendant respectfully requests that the Motion for Remand be denied, or, that this court retain jurisdiction until such time as the Plaintiff files a proposed amended complaint which clearly sets forth claims which do not involve federal questions.

Dated: March 4, 2005

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the within Defendant's Notice of Removal was this day served upon Plaintiff by mailing copy of same or hand delivery to: Attorney Tammy Sharif
1242 Main Street - Suite 314
Springfield, MA 01103
SIGNED under the pains and penalties of perjury.
Dated: 3/4/2005

THE DEFENDANT,
City of Springfield


Edward M. Pikula, BBO #399770

Associate City Solicitor
CITY OF SPRINGFIELD LAW DEPARTMENT
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Springfield, Massachusetts 01103
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